



# California Fair Political Practices Commission

February 10, 1993

John Kern  
Anderson & Kern  
15658 Viking Grove Lane  
Valley Center, CA 92082

Re: Your Request for Informal Assistance  
Our File No. I-93-022

Dear Mr. Kern:

You have requested confirmation of telephone advice provided to you concerning the campaign provisions of the Political Reform Act (the "Act").<sup>1</sup> Since you have not identified a specific individual on whose behalf you are requesting this advice, we are treating your request as one for informal assistance.<sup>2</sup>

This letter confirms that your letter dated January 6, 1993, accurately summarizes the telephone advice provided to you by this office. Your letter presented a situation in which a minister in a church service urges the congregation to support a particular candidate or committee. In addition, money is collected which is turned over to the candidate/committee.

I advised you that the church would be considered an intermediary under the Act only if it deposited the money in an account and drew a check to the candidate/committee. Under the circumstances outlined in your letter, the church would not qualify as a committee and would have no reporting obligation. The candidate/committee will be required to maintain a record of the date of the contribution, as well as the full name and street

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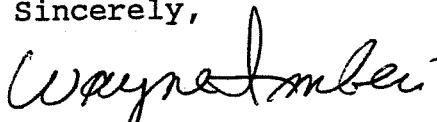
<sup>1</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

<sup>2</sup> Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Government Code Section 83114; 2 Cal. Code of Regs. Sections 18329(c)(3).)

address of any contributor of \$25 or more. For contributions of \$100 or more, the candidate/committee must also maintain a record which includes the occupation and employer (or if self-employed, the name of the business) of the contributor. The church should advise the congregation that contributors of \$25 must provide their names and addresses. It should also indicate that contributors of \$100 or more must provide occupation and employer information and that contributions of \$100 or more must be made via a written instrument rather than in cash.

If you have additional questions, please contact me at (916) 322-5662.

Sincerely,

A handwritten signature in cursive script that reads "Wayne P. Imberi". The signature is written in dark ink and is positioned above the printed name and title.

Wayne P. Imberi  
Political Reform Consultant